

CAROL SHAKOFSKY-RUSSELL,

Plaintiff,

V.

SOCIAL SECURITY ADMINISTRATION,

Defendant.

Case No.: 13-CV-2469 YGR

**ORDER REGARDING PRO SE PLAINTIFF'S
FAILURE TO FILE AN OPPOSITION TO
DEFENDANT'S MOTION TO DISMISS**

On June 10, 2013, Defendant filed a motion to dismiss this lawsuit. Dkt. No. 4. If the Court grants that motion and dismisses this lawsuit, the lawsuit will be over and the Plaintiff, Ms. Shakofsky-Russell, will have lost.

The hearing on the motion to dismiss was originally scheduled for July 18, 2013, before Magistrate Judge Beeler in San Francisco. The case was then transferred to the undersigned judge and the hearing date was changed.

Under this Court's Civil Local Rule 7-3(a), Ms. Shakofsky-Russell was required to file either a brief opposing the motion to dismiss her lawsuit, or a notice that she does not oppose dismissal.¹ Ms. Shakofsky-Russell's papers were due on June 24, 2013. As of the date of this Order, Ms. Shakofsky-Russell has not filed anything. As a result, the Court is considering dismissing her lawsuit for "failure to prosecute," that is, a failure to meet deadlines and keep the lawsuit moving forward.

The Court hereby gives Ms. Shakofsky-Russell an extension of time to file her papers. Ms. Shakofsky-Russell is hereby **ORDERED** to file either (1) an opposition to the Motion to Dismiss or (2) a notice of nonopposition **no later than Friday, August 30, 2013. Failure to file an opposition by that date will result in dismissal of this lawsuit for failure to prosecute.**

¹ The Court's Civil Local Rules may be accessed for free at: <http://cand.uscourts.gov/localrules/civil>

1 Defendant's reply to an opposition must be filed and served no more than 7 days after the
2 opposition is served and filed. Civ. L.R. 7-3(c).

3 The hearing in this matter is hereby **CONTINUED**. It is now scheduled for **Tuesday,**
4 **September 17, 2013, at 2:00 p.m. in Courtroom 5 at the Federal Courthouse, 1301 Clay Street,**
5 **Oakland, California.**

6 Ms. Shakofsky-Russell may seek assistance from the Court's Legal Help Center. The Legal
7 Help Center may assist persons who do not have lawyers if they make an appointment. The Legal
8 Help Center's phone number is (415) 782-8982 and its website is
9 <http://cand.uscourts.gov/helpcentersf>.

10 **IT IS SO ORDERED.**

11
12 Dated: August 16, 2013


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE